

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 03/11554

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12Q1/48

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, PAJ, MEDLINE, EMBASE, WPI Data, INSPEC

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00 66721 A (GOODYEAR LAURIE J; FLIER JEFFREY S (US); BETH ISRAEL HOSPITAL (US)) 9 November 2000 (2000-11-09) page 21, line 8 -page 24, line 22; claims 1-11	1-25
X	WO 01 44497 A (UNIV DUNDEE; ALESSI DARIO (GB); BIONDI RICARDO (GB)) 21 June 2001 (2001-06-21) page 58, line 1-3; claims 1,5,23,29,30,58 -/--	1-25

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

\*A\* document defining the general state of the art which is not considered to be of particular relevance

\*E\* earlier document but published on or after the international filing date

\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

\*O\* document referring to an oral disclosure, use, exhibition or other means

\*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

13 February 2004

Date of mailing of the international search report

25/02/2004

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	PHAM PHUONG-TRUC T ET AL: "Assessment of cell-signaling pathways in the regulation of mammalian target of rapamycin (mTOR) by amino acids in rat adipocytes" JOURNAL OF CELLULAR BIOCHEMISTRY, vol. 79, no. 3, 7 September 2000 (2000-09-07), pages 427-441, XP002269150 ISSN: 0730-2312	26
A	abstract; figure 1 ---	1-25
X	FASSHAUER MATHIAS ET AL: "Hormonal regulation of adiponectin gene expression in 3T3-L1 adipocytes" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, vol. 290, no. 3, 25 January 2002 (2002-01-25), pages 1084-1089, XP002269151 ISSN: 0006-291X	26
A	the whole document ---	1-25
A	WO 00 08173 A (GOUT IVAN; YONEZAWA KAZU (US); HARA KENTA (US); WATERFIELD MIKE (U) 17 February 2000 (2000-02-17) abstract; claims 6,18,19 ---	1-26
A	WO 97 34137 A (LIVI GEORGE PETRO; MCLAUGHLIN MEGAN MCHALE (US); SMITHKLINE BEECHA) 18 September 1997 (1997-09-18) claims 1-59 -----	1-26

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International application No.  
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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
  
Although claims 11-17, and 23-25 are directed to methods of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.: 10-15, 18-20 (all partly)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 10-15, 18-20 (all partly)

Claim 10 lacks clarity (Article 6 PCT) because in the absence of any structural feature of the claimed compound in the description or the claims, the skilled person cannot determine the scope of such a claim. Furthermore, an attempt is made to define the agent by reference to a result to be achieved, i.e., its identification by the claimed methods. Hence, the lack of clarity in the present case is such as to render a meaningful search of claim 10 over the whole claimed scope impossible. In a similar manner, claims 11-15, and 18-20 relate to methods and uses comprising an S6 kinase modulator or inhibitor compound without any structural feature. Thus, claims 10-15, and 18-20 have only been searched with respect to methods and uses comprising compounds or molecules specified in the description or the claims, i.e., with respect to antibodies, antisense molecules, ribozymes, and RNAs inhibiting S6 kinase activity.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/11554

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0066721	A	09-11-2000	AU 4683700 A	17-11-2000
			WO 0066721 A2	09-11-2000
			US 2003158139 A1	21-08-2003
WO 0144497	A	21-06-2001	AU 2187301 A	25-06-2001
			EP 1234188 A2	28-08-2002
			WO 0144497 A2	21-06-2001
			JP 2003516760 T	20-05-2003
			US 2003143656 A1	31-07-2003
WO 0008173	A	17-02-2000	AU 5333999 A	28-02-2000
			EP 1100929 A1	23-05-2001
			JP 2002525035 T	13-08-2002
			WO 0008173 A1	17-02-2000
WO 9734137	A	18-09-1997	EP 1017980 A2	12-07-2000
			JP 2000510327 T	15-08-2000
			WO 9734137 A2	18-09-1997
			US 6218136 B1	17-04-2001